

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LAURA McCAMMACK)	
)	
Plaintiff,)	
v.)	Case No. 08 CV 3854
)	
COMMUNITY CONSOLIDATED)	Judge St.Eve
SCHOOL DISTRICT NO. 15,)	
)	
Defendant.)	

JOINT STATUS REPORT AND PROPOSED DISCOVERY PLAN

Plaintiff, LAURA McCAMMACK ("Plaintiff") and Defendant, COMMUNITY CONSOLIDATED SCHOOL DISTRICT NO. 15, ("Defendant"), by and through their respective attorneys of record, hereby submit the following Status Report. Plaintiff and Defendant are hereinafter collectively referred to as the "Parties."

A. STATUS HEARING

Date: September 10, 2008

Time: 8:30 a.m.

B. ATTORNEYS

1. Plaintiff's Counsel: Michael T. Smith, Law Offices of Michael T. Smith (Trial Counsel)
2. Defendant's Counsel: John A. Relias (Trial Counsel) and Katie L. Belpedio of Franczek Sullivan P.C.

C. BASIS FOR FEDERAL COURT JURISDICTION

Jurisdiction of this action is conferred upon by the Court by Age Discrimination in Employment ACT (ADEA) 29 USCA ¶ 621-634, under the specific provisions of 29 USCA ¶ 626(b) and venue by 28 USCA ¶ 1331.

D. JURY REQUEST

Plaintiff has requested a jury.

E. NATURE OF THE CASE

Plaintiff is a former employee of Defendant. Plaintiff alleges that Defendant discriminated against him on the basis of her age by treating her differently than younger employees in violation of the ADEA. Defendant denies that it discriminated against Plaintiff and further denies that it is liable to Plaintiff in any way.

1. Major Factual And Legal Issues in Agreement:

- a. Plaintiff was employed by Defendant.
- b. Plaintiff was hired by Defendant on August 14, 2006.
- c. Defendant is an employer covered by ADEA.
- d. Plaintiff was during the relevant times over 40.
- e. Plaintiff's employment contract was not renewed for the 2007-2008 school year.

2. Major Factual and Legal Issues in Dispute:

- a. Whether Plaintiff timely filed her administrative claim with the EEOC.
- b. Whether Plaintiff timely filed this lawsuit.
- c. Whether Plaintiff was adequately performing her job.
- d. The circumstances and reasons for Plaintiff's non-renewed employment contract from Defendant.
- e. Whether Defendant discriminated against Plaintiff on the basis of her age and treated her differently than younger employees not in a protected group.
- f. The nature and extent of Plaintiff's damages, if any.
- g. Whether Plaintiff reasonably mitigated her damages, if any.

F. RELIEF SOUGHT

Plaintiff seeks damages, reinstatement or front pay, statutory liquidated damages, Attorney's fees and costs. Defendant seeks its costs in defending this matter.

G. SERVICE OF PROCESS

All parties have been served and have appeared.

H. DISCOVERY PLAN

A. Pending Motions. There are no pending motions.

B. Proposed Discovery Plan:

a. Type of Discovery Needed: it is anticipated that the Plaintiff will want to take discovery on issues including, but not limited to, the facts related to the District's decision not to renew Plaintiff's employment and the reasons for that decision.

b. Rule 26(a)(1) Disclosures: September 19, 2008

c. Fact discovery completion: November 1, 2008

d. Expert discovery completion:

Plaintiff to disclose expert and report: April 1, 2009

Defendant to disclose expert and report: April 15, 2009

Expert discovery to be completed: May 1, 2009

e. Dispositive motions to be filed: June 1, 2009

f. Final pretrial order to be filed: August 1, 2009

C. Trial Status

a. Plaintiff has demanded a jury trial.

b. A trial would probably last 3 days.

c. The case will probably be ready for trial September 1, 2009

I. CONSENT TO PROCEED BEFORE A MAGISTRATE JUDGE

The Parties do not consent to trial before a magistrate judge.

J. STATUS OF SETTLEMENT DISCUSSIONS

- A. No settlement discussions have occurred yet.
- B. n/a.
- C. The Plaintiff does not request a settlement conference until we take further discovery.

Respectfully submitted,

LAURA McCAMMACK

COMMUNITY CONSOLIDATED
SCHOOL DISTRICT NO. 15

By: s/ Michael T. Smith

By: s/ Katie L. Belpedio – 06285731
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Dated: September 5, 2008

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true and correct copy of the foregoing **Joint Status Report and Proposed Discovery Plan** has been filed with the Clerk of the Court using the CM/ECF system and served via the CM/ECF system on the following counsel of record on this 5th day of September, 2008:

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